

**City of Greensboro
North Carolina
Greensboro Minimum Housing
Commission Agenda**

REGULAR MEETING

1:30 PM

AUGUST 11, 2009

Commission members present:

Larry Standley, Chair
Jim Burgess
Jeff Nimmer
Wayne Stutts
Tim Vincent

Staff Present:

Wanda Hovander, Inspector
Mike Williams, City Attorney's Office
Mary Lynn Anderson, City Attorney's Office
Dan Reynolds, Manager, Inspections Division
Lori Loosemore, Inspector
Don Sheffield, Commercial Demolitions

Staff and persons from the audience were sworn as to their testimony in the following matters for this meeting.

1. APPROVAL OF MINUTES OF LAST MEETING:

Mr. Vincent moved to approve the minutes of the July 14, 2009 meeting as written, seconded by Mr. Nimmer. The Commission voted 5-0 in favor of the motion. (Ayes: Standley, Burgess, Nimmer, Stutts, Vincent. Nays: None.)

NEW CASES:

- 2. 800 Franklin Boulevard – (TMN 00-03-0146-C-0498-00-0018) – Jerry E. Bowen, Owner – In the Matter of Order to Repair, Alter or Improve the Structure. Inspector Hovander. (INSPECTOR UPHELD)**

Inspector Hovander stated that 800 Franklin Boulevard is being brought to the Commission for Order to Repair, Alter or Improve the Structure. This is not part of a duplex or apartment. The case is being submitted as less than 50 percent damaged. A title search was completed in February, 2009. The date of inspection was February 21, 2005. The owners were served with certified mail. The date of the hearing was May 26, 2009 and no one appeared. The order was issued May 27, 2009 and it expired June 26, 2009. The last date of visual inspection was August 5, 2009 by Inspector Hovander. The City had to order the building secured on June 1, 2009. This has been a repeat problem for the City. There are children in the area, there is no school nearby; however, there is a church next door to the property. There is no history of complaints to LOE. In the opinion of the Inspector, the owner has abandoned their intent to repair the property.

Counsel Williams asked Inspector Hovander if the video being shown was a fair and accurate representation of the property; if all parties in interest were properly served with all Orders, Notices, and Complaints issued in this matter; the last date the property was visited was August 5, 2009, this property is not a duplex or multi-unit property; and there are more than five separate

types of violations of any of the Minimum Standard Housing Codes. Inspector Hovander stated that she agreed with all the information as stated.

The list of violations include broken glass pane; cover plate cracked/missing or loose; dwelling unit does not have running water; electrical power not on at time of inspection; electrical unsafe to operate; exposed wiring; flooring worn through; heating equipment inoperable; holes in ceiling; inoperable plumbing fixture; inoperable UL listed smoke detector; leaking roof covering; emergency case: board up; loose ceiling boards; loose ceiling plaster; loose floor covering; loose flooring; loose material on interior wall/partition; loose siding; make windows operable; missing/damaged foundation vents; missing UL listed smoke detector; repair or replace cabinets; unclean/unsanitary ceiling; unclean/unsanitary fixtures; unclean/unsanitary floor; unclean/unsanitary walls; untreated deteriorative surface; walls around tubs to be impervious to water; and weather permeable window.

Chair Standley asked if the property owner or other interested parties were present to speak on this matter and no one came forward.

Mr. Vincent moved that the Inspector be upheld, seconded by Mr. Burgess. The Commission voted 5-0 in favor of the motion. (Ayes: Standley, Burgess, Nimmer, Stutts, Vincent. Nays: None.)

Chair Standley stated that the property involved in this matter is located at 800 Franklin Boulevard in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the city of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the order of the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld this 11th day of August, 2009.

3. 510 Julian Street -- (TMN 31-2-2) – Diane & Marion Smith, Owners – In the Matter of Order to Repair or Vacate and Demolish Structure. Inspectors Covington & Hovander. (CONTINUED UNTIL DECEMBER, 2009)

Inspector Hovander stated that 510 Julian Street is being brought to the Commission for Order to Repair or Vacate and Demolish Structure. This is not part of a duplex or apartment. The case is being submitted as greater than or equal to 50 percent damaged. A title search was completed in December, 2007 and updated June 15, 2009. The date of inspection was February 1, 2006. All parties were notified with certified mail. The date of the hearing was February 6, 2008 and Mr. Marion Smith appeared. The order was issued February 6, 2008 and it expired March 6, 2008. The last date of visual inspection was August 4, 2009 by Inspector Hovander. The City did not have to order the building secured. There are children in the area but there is no school nearby. There is no history of complaints to LOE. In the opinion of the Inspector, the owner has abandoned their intent to repair the property.

Counsel Williams asked Inspector Hovander if the video being shown was a fair and accurate representation of the property; if all parties in interest were properly served with all Orders, Notices, and Complaints issued in this matter; the last date the property was visited was August 4, 2009, this property is not a duplex or multi-unit property; and there are more than five separate

types of violations of any of the Minimum Standard Housing Codes. Inspector Hovander stated that she agreed with all the information as stated.

The list of violations include broken floor joists; broken floor system sill; broken glass pane; ceiling finish susceptible to falling; cracks in exterior wall; crawl space door repair/replace; electrical power not on at time of inspection; electrical unsafe to operate; entrance door lock missing; entrance door weather permeable-exterior and interior; floor not level; floor system not level; flooring worn through; heating equipment incapable of heating all habitable spaces; heating equipment inoperable; hole in roof covering; holes in ceiling; holes in exterior wall; holes in interior wall/partition; holes/cracks/air permeable floor; improperly/insufficiently supported floor system sill; inadequately hot and cold running water; insect/rodent infestation; leaking roof covering; loose ceiling boards; loose ceiling plaster; loose floor covering; loose flooring; loose material on interior wall/partition; loose roof covering; loose roof sheathing; loose sheetrock on ceiling; loose siding; make windows operable; piers with loose mortar; porch floor, repair or replace; privacy lock missing from required interior door; repair or replace cabinets; repair or replace stairs/riser supports; rotted boards on exterior wall; rotted roof sheathing; rotten flooring; rough, uneven, irregular flooring; seriously rotted floor joist; seriously rotted floor system sill; shower/tub leaking; soil line improperly supported; termite damaged floor joist; unclean/unsanitary fixtures; unclean/unsanitary floor; unclean/unsanitary walls; untreated deteriorative surface; walls around tubs to be impervious to water; water closet loose; weak/damaged floor joists; weather permeable window; weather permeable exterior wall/siding; window screen permanently attached to sash; window sills rotten; and windows inadequately screened

Chair Standley asked if the property owner or other interested parties were present to speak on this matter.

Diane and Marion Smith, property owners, reside at 4330 Blackberry Road. Mr. Smith works on the property during his spare time. The owners described the condition of the property and the work that has been done. They expect to have the house up to code standards within nine months. Mr. Smith described the setbacks they have experienced along with the work remaining to be done. Concern was expressed regarding the length of time this property has been underway, and the owners were encouraged to work in a timely manner.

Mr. Stutts moved to continue this case until the December, 2009 meeting, seconded by Mr. Vincent. The Commission voted 5-0 in favor of the motion. (Ayes: Standley, Burgess, Nimmer, Stutts, Vincent. Nays: None.)

4. 1114 Moody Street – (TMN 215-3-4) – Michael Ray & Debra H. Hodgins, Owners – In the Matter of Order to Repair, Alter or Improve the Structure. Inspectors Covington & Hovander. (CONTINUED UNTIL OCTOBER, 2009 MEETING)

Inspector Hovander stated that 1114 Moody Street is being brought to the Commission for Order to Repair, Alter or Improve the Structure. This is not part of a duplex or apartment. The case is being submitted as less than 50 percent damaged. A title search was completed in January 2009. The date of inspection was November 6, 2008. The owners were served with certified mail. The date of the hearing was March 11, 2009 and no one appeared. The order was issued April 27, 2009 and it expired May 27, 2009. The last date of visual inspection was August 6, 2009 by Inspector Hovander. The City had to order the building secured but the owner secured it. This has been a repeat problem for the City. There are children in the area and Hampton Elementary School is three blocks away. There is no history of complaints to LOE. In the opinion of the Inspector, the owner has abandoned their intent to repair the property.

Counsel Williams asked Inspector Hovander if the video being shown was a fair and accurate representation of the property; if all parties in interest were properly served with all Orders,

Notices, and Complaints issued in this matter; the last date the property was visited was August 6, 2009, this property is not a duplex or multi-unit property; and there are more than five separate types of violations of any of the Minimum Standard Housing Codes. Inspector Hovander stated that she agreed with all the information as stated.

The list of violations includes damage by fire; electrical system hazard: inadequate service; electrical system hazard: similar hazards; electrical, heating or plumbing facilities improper or inadequate; exterior doors, assemblies or hardware not in good condition; exterior paint peeling, flaking or chipped; exterior property or premises unclean, unsafe, exterior stairways, decks, porches, or balconies in disrepair; exterior structure members deteriorated; exterior structure in disrepair, structurally unsound or unsanitary; exterior surfaces not maintained in good condition; exterior walls: holes, breaks, loose or rotting materials; foundation walls cracked or broken; foundation walls shall prevent entry of rodents and pests; insect screens required at doors, windows and openings required for ventilation; interior equipment in disrepair and unsanitary; interior landing in unsound condition or disrepair; interior stair in unsound condition or disrepair; interior structural members unsound, incapable of supporting loads; interior structure: in disrepair and unsanitary; interior surfaces: cracked or loose plaster, decayed wood, other defective surface conditions; interior surfaces: paint peeling, chipping, flaking or abraded; interior surfaces: unclean, unsanitary, or not in good condition; interior walking surface in unsound condition or disrepair; plumbing system hazard: inadequate service, roof and flashing shall be sound, tight, and not admit rain; roof drainage shall prevent dampness or deterioration in walls or interior structure; roof drains, gutters or downspouts in disrepair; roof drains, gutters or downspouts obstructed; owner working without a permit; vacant structure or premises unclean, unsafe, unsecured, or unsanitary; windows, skylights, doors or frames unsound, in disrepair, or not weather tight.

Chair Standley asked if the property owner or other interested parties were present to speak on this matter

Mike Hodgins, 4404 Oakmore Drive, is the property owner. He indicated that there was a fire in the house two years ago. He is cleaning up the house following unsuccessful attempts to sell the property. He described his attempts to bring the property up to code. He can only work on the property during his free time and he was unsure if he could complete the entire project within the current year. Inspector Hovander clarified with the owner that he could not perform the work without a license and permits must be pulled before the work is done.

Mr. Burgess moved to continue this item for 90 days. There was no second to his motion. Mr. Burgess restated his motion and moved that this item be continued for 60 days or until the October, 2009 meeting, seconded by Mr. Nimmer. The Commission voted 5-0 in favor of the motion. (Ayes: Standley, Burgess, Nimmer, Stutts, Vincent. Nays: None.)

CONTINUED CASES:

- 5. 900 Westridge Road -- (TMN 328-4-1) – Richard Lane, Betsy Lane & Claudia Lane Stafford, Owners -- In the Matter of Order to Repair, Alter or Improve Structure. Continued from the September 9, 2008; December 9, 2008; June 9, 2009; and July 14, 2009 Housing Commission meetings. Inspectors Register and Hovander. (RETURNED TO THE INSPECTOR)**

Inspector Hovander requested that this item be returned to the Inspector as the owner has made the repairs to this property.

Mr. Burgess moved to return this case to the Inspector, seconded by Mr. Vincent. The Commission voted 5-0 in favor of the motion. (Ayes: Standley, Burgess, Nimmer, Stutts, Vincent. Nays: None.)

6. 926 Bellevue Street – (TMN 17-10-9) – Preservation Greensboro Development Fund Inc., Owner – In the Matter of Order to Repair or Demolish Structure. Continued from the September 11, 2007; October 9, 2007; November 31, 2007; February 12, 2008; May 13, 2008; June 10, 2008; July 8, 2008; September 9, 2008; November 11, 2008; January 13, 2009; February 10, 2009; April 14, 2009; and May 12, 2009 Housing Commission meetings. Inspector Hovander. (CONTINUED UNTIL THE SEPTEMBER, 2009 MEETING)

Inspector Hovander stated that 926 Bellevue Street was last heard at the May 12, 2009 meeting. The property is not part of a duplex or apartment. The case is being submitted as vacant since 2006 and over 50 percent damaged. A title search was completed in May, 2007. The date of inspection was April 19, 2006 and all parties were served. The date of the hearing was May 15, 2006. The order was issued May 17, 2006 and it expired June 16, 2006. The last date of visual inspection was August 7, 2009 by Inspector Hovander. The City did not have to order the building secured. There are children in the area but there is no school nearby. There is no history of complaints to LOE. In the opinion of the Inspector, the owner has abandoned their intent to repair the property. She added that a lot of progress has been made but there is still work remaining to be done. The violations have been read into the record at previous meetings although some violations have been corrected. There are outstanding building code violations, doors inadequately screened, and electrical code violations. Mr. Sheffield added that all the permits have been pulled and roughs in mechanical, electrical, and plumbing have passed and the property is ready for framing.

Chair Standley asked if the property owner or other interested parties were present to speak on this matter and no one came forward.

Inspector Hovander updated the Commission on items that remain to be completed.

Mr. Stutts moved to continue this case until the September, 2009 meeting, seconded by Mr. Vincent. The Commission voted 5-0 in favor of the motion. (Ayes: Standley, Burgess, Nimmer, Stutts, Vincent. Nays: None.)

7. 524 Julian Street – (TMN 31-3-1) – Victor B., and Wendell H., & Ethbert S. Jr. Carr, Owners – In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the April 14, 2009 and June 9, 2009 Housing Commission meetings. Inspectors Hovander and Covington. (CONTINUED UNTIL THE SEPTEMBER, 2009 MEETING)

Inspector Hovander stated that 524 Julian Street was last heard at the June 9, 2009 meeting. The property is not part of a duplex or apartment. The case is being submitted as order expired. The title search has been completed. The date of reinspection was August 20, 2008 and all parties were notified with certified mail. The date of the hearing was September 9, 2008. The order was issued September 16, 2008 and it expired November 18, 2008. The last date of visual inspection was August 7, 2009 by Inspector Hovander. The City did not have to order the building secured. The owner boarded up the property due to vagrants entering the property. It was secured August 20, 2008. This has not been a repeat problem. There are children in the area but there is no school nearby. There is no history of complaints to LOE. In the opinion of the Inspector, the owner has abandoned their intent to repair the property.

Counsel Williams asked Inspector Hovander if the video being shown was a fair and accurate representation of the property; if all parties in interest were properly served with all Orders, Notices, and Complaints issued in this matter; the last date the property was visited was August 7, 2009, this property is not a duplex or multi-unit property; and there are more than five separate types of violations of any of the Minimum Standard Housing Codes. Inspector Hovander stated that she agreed with all the information as stated.

Inspector Hovander stated that the violations have been read into the record at previous meetings.

Chair Standley asked if the property owner or other interested parties were present to speak on this matter.

Victor Carr, owner of the property, resides at 4108 Galloway Drive. He indicated that the home is in the hands of the City in the RIP program. Elizabeth Benton works with the RIP program and resides at 325 East Davidson Avenue in Winston Salem, North Carolina. She informed the Group that the bid for the work has been approved and awarded. Legal counsel will draw up the contract and the revised deed for signatures within the next two weeks. She anticipates construction to begin sometime in September of 2009. She stated that work should be completed by December, 2009 if not sooner.

Mr. Burgess moved to continue this case until the September, 2009 meeting, seconded by Mr. Vincent. The Commission voted 5-0 in favor of the motion. (Ayes: Standley, Burgess, Nimmer, Stutts, Vincent. Nays: None.)

8. 1535 Lovett Street – (TMN 84-4-42) – Hilal Shawkat, Owner – In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the April 14, 2009 and July 14, 2009 meetings. Inspectors Chris Jones and Hovander. (INSPECTOR UPHELD)

Inspector Hovander stated that 1535 Lovett Street a continued case that was last heard at the July 14, 2009 meeting. It is being brought to the Commission for Order to Repair, Alter or Improve the Structure. This is not part of a duplex or apartment. The case is being submitted as less than 50 percent damaged. A title search was completed in March 2008. The date of inspection was September 27, 2007 and reinspected November 6, 2007. All parties were served with certified mail. The date of the hearing was April 14, 2008 and no one appeared. The order was issued October 30, 2008 and it expired December 1, 2008. The last date of visual inspection was August 10, 2009 by Inspector Hovander. The City had to order the building secured and the owner secured it. It was secured October 17, 2007. This has been a repeat problem for the City. There are children in the area and Peck Elementary School is nearby. There is no history of complaints to LOE. In the opinion of the Inspector, the owner has abandoned their intent to repair the property.

Counsel Williams asked Inspector Hovander if the video being shown was a fair and accurate representation of the property; if all parties in interest were properly served with all Orders, Notices, and Complaints issued in this matter; the last date the property was visited was August 10, 2009, this property is not a duplex or multi-unit property; and there are more than five separate types of violations of any of the Minimum Standard Housing Codes. Inspector Hovander stated that she agreed with all the information as stated.

The list of violations has been read into the record at previous meetings. The owner notified Inspector Hovander that he would be out of town. She updated the Group on progress made on the property.

Chair Standley asked if the property owner or other interested parties were present to speak on this matter and no one came forward.

Mr. Burgess moved that the Inspector be upheld, seconded by Mr. Vincent. The Commission voted 5-0 in favor of the motion. (Ayes: Standley, Burgess, Nimmer, Stutts, Vincent. Nays: None.)

Chair Standley stated that the property involved in this matter is located at 1535 Lovett Street in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the city of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the order of the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld this 11th day of August, 2009.

9. 2101 Briarwood Drive – (TMN 181-5-17) – Eileen T. Lane, Owner – In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the May 12, 2009 and July 14, 2009 Housing Commission meetings. Inspectors Hovander and Loosemore. (CONTINUED UNTIL THE SEPTEMBER, 2009 MEETING)

Inspector Hovander stated that 2101 Briarwood Drive has been reinspected and the Inspections Division asks that the case be returned. The fire, load, and egress issues have been resolved. There are several minor issues, such as installation of a smoke detector and one window still blocked, that the Division will work on with the owner.

Chair Standley asked if the property owner or other interested parties were present to speak on this matter.

Chair Standley commended Ms. Lane, property owner, on the work she has done to clean up the issues in the house. He summed up for Ms. Lane that two outstanding issues remain until the Condemnation Order can be removed, the installation of a smoke detector and to clear out the entrance to a window. Ms. Lane stated that she could resolve these issues. Chair Standley opposed returning this case back to the Inspector and suggested the Commission maintains jurisdiction for 30 days in case of problems. Chair Standley advised Ms. Lane that she will need to return in September, 2009 if repairs are not made or there are other problems. However, if repairs are made the case will be removed and she will not need to return.

Mr. Burgess moved to continue this case until the September, 2009 meeting, seconded by Mr. Vincent. The Commission voted 5-0 in favor of the motion. (Ayes: Standley, Burgess, Nimmer, Stutts, Vincent. Nays: None.)

REQUESTS TO RESCIND:

Mr. Nimmer moved to rescind the following matters, seconded by Mr. Vincent. The Commission voted 5-0 in favor of the motion. (Ayes: Standley, Burgess, Nimmer, Stutts, Vincent. Nays: None.)

10. 406 Marshall Street -- (TMN 99-4-1) – Rebecca Allen, Thomas Allen & Ophelia Frink, Owners. HCR recorded 4/21/2009, book 7002, page 2020-2021. Demolished by Owner. Inspector Hovander.

11. **106 S. English Street** – (TMN 1099-1-20) Robert D. & Barbara S. Starr, Owners. HCR recorded 4/21/2009, book 7002, page 2018-1019. Demolished by Owner. Inspector Hovander.
12. **2400 Phillips Avenue** – (TMN 195-3-1) Heirs of Bessie K. Grier, Owner. HCR recorded 7/17/2009, book 7038, page 1770-1771. Rescinding for service. Inspector Hovander.
13. **3404 Calumet Place** – (TMN 197-7016) Ronald T. & Sarah W. Cobb, Owners. HCR recorded 7/17/2009, book 7038, page 1765-1765. Repaired by Owner. Inspector Hovander.
14. **707 Woodland Avenue** – (TMN 64-24-1) Charles H. & Patricia C. West, Owners. HCR recorded 5/19/2009, book 7014, page 257-258. Demolished by Owner. Inspector Hovander.

OTHER BUSINESS:

Chair Standley informed the Group of the need to nominate a new Vice-Chairman.

Mr. Burgess moved to nominate Mr. Vincent as Vice-Chairman of the Greensboro Minimum Housing Standards Commission, seconded by Mr. Nimmer. The Commission voted 4-0 in favor of the motion. (Ayes: Standley, Burgess, Nimmer, Stutts. Nays: None.)

ADJOURN:

There being no further business before the Commission the meeting was adjourned at 2:25 p.m.

Respectfully submitted,

Larry Standley, Chair
Greensboro Minimum Housing Commission

LS:sm/jd